

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

FACEBOOK, INC.,  
Plaintiff,

v.

POWER VENTURES, INC., and  
STEVEN VACHANI,  
Defendants.

Case No. 08-CV-05780-LHK

**JUDGMENT**

On May 2, 2017, the Court issued an order granting Plaintiff Facebook Inc. (“Plaintiff”): \$79,640.50 in compensatory damages for the violation of the Computer Fraud and Abuse Act and California Penal Code § 502 by Defendants Power Ventures, Inc. and Steven Vachani (collectively, “Defendants”); \$39,796.73 in discovery sanctions against Defendants for Defendants’ misconduct during a Federal Rule of Civil Procedure 30(b)(6) deposition; and the following permanent injunction:

1. Defendants, their agents, officers, contractors, directors, shareholders, employees, subsidiary companies or entities, affiliated or related companies and entities, assignees, and successors-in-interest, and those in active concert or participation with them, are permanently enjoined from:

1 A. Accessing or using, or directing, aiding, facilitating,  
 2 causing, or conspiring with others to use or access the Facebook  
 3 website or servers for any commercial purpose, without  
 4 Facebook's prior permission, including by way of example and not  
 5 limitation for the purpose of sending or assisting others in sending,  
 6 or procuring the sending, of unsolicited commercial electronic text  
 7 messages via the Facebook website or service.

8 B. Using any data, including without limitation Facebook-  
 9 user data and data regarding Facebook's website or computer  
 10 networks, obtained as a result of the unlawful conduct for which  
 11 Defendants' have been found liable.

12 C. Developing, using, selling, offering for sale, or  
 13 distributing, or directing, aiding, or conspiring with others to  
 14 develop, sell, offer for sale, or distribute, any software that allows  
 15 the user to engage in the conduct found to be unlawful.

16 2. Defendants, their agents, officers, contractors, directors, shareholders,  
 17 employees, subsidiary companies or entities, affiliated or related  
 18 companies and entities, assignees, and successors-in-interest, and those in  
 19 active concert or participation with them shall destroy any software,  
 20 script(s) or code designed to access or interact with the Facebook website,  
 21 Facebook users, or the Facebook service. They shall also destroy  
 22 Facebook data and/or information obtained from Facebook or Facebook's  
 23 users, or anything derived from such data and/or information.

24 3. Within three calendar days of entry of this permanent injunction and  
 25 order, Defendants shall affirm that they already have notified, or shall  
 26 notify, their current and former officers, agents, servants, employees,  
 27 successors, and assigns, and any persons acting in concert or participation

1 with them of this permanent injunction.

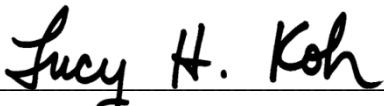
2 4. Within seven calendar days of entry of this injunction and order,  
3 Defendants shall certify in writing, under penalty of perjury, that they  
4 have complied with the provision of this order, and state how notification  
5 of this permanent injunction in accordance with paragraph 3 above was  
6 accomplished, including the identities of all email accounts (if any) used  
7 for notification purposes.

8 5. The Court shall continue to retain jurisdiction over the parties for the  
9 purpose of enforcing this injunction and order.

10 Pursuant to Federal Rule of Civil Procedure 54, the Court finds no just reason for delay and directs  
11 the Clerk to enter judgment in favor of Plaintiff on Plaintiff's causes of action under the Computer  
12 Fraud and Abuse Act and California Penal Code § 502 and to enter judgment in favor of  
13 Defendants on Plaintiff's cause of action under the Controlling the Assault of Non-Solicited  
14 Pornography and Marketing Act. Defendants shall pay to Plaintiff \$79,640.50 in compensatory  
15 damages and \$39,796.73 for discovery sanctions. Defendants shall also abide by the permanent  
16 injunction described above. The Clerk shall close the file.

17 **IT IS SO ORDERED.**

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19 Dated: May 2, 2017

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21 LUCY H. KOH  
22 United States District Judge  
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